

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF IDAHO (COUER D'ALEN)

PROOF OF CLAIM

Name of Debtor  
**Frank L. Chapin**  
**Sydney L. Gutierrez-Chapin**

Case Number  
**02-20218**

2002 JUN 13 PM 1 43

NOTE: This form should not be used to make a claim for administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. §503.

Name of Creditor (The person or other entity to whom the debtor owes money or property):  
**Robert Kovacevich, PLLC**

Name and Address where notices should be sent:

**Robert Kovacevich, PLLC**  
**818 W Riverside Ave., Suite 715**  
**Spokane WA 99201**

- ☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars
- ☐ Check box if you have never received any notice from the bankruptcy court in this case.
- ☒ Check box if the address differs from the address on the envelope sent to you by the court.

THIS SPACE FOR COURT USE ONLY

Telephone Number:

Account or other number by which creditor identifies debtor:

Check here if ☐ replaces this claim ☐ amends a previously filed claim, dated

1. Basis For Claim:

- ☐ Goods sold
- ☒ Services performed
- ☐ Money loaned
- ☐ Personal injury/wrongful death
- ☐ Taxes
- ☐ Other

- ☐ Retire benefits as defined in 11 U.S.C. § 1114(a)
- ☐ Wages, salaries, and compensations (Fill out below)
- Your SS# \_\_\_\_\_
- Unpaid compensation for services performed from \_\_\_\_\_ to \_\_\_\_\_ (date) (date)

2. Date debt was incurred:  
**02/08/00 - 12/31/01**

3. If court judgment, date obtained:

4. Total Amount of Claim at Time Case Filed:

**\$ 79,330.46**

If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below.

☒ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attached itemized statement of all interest or additional charges.

5. Secured Claim.

- ☐ Check this box if your claim is secured by collateral (including right of setoff).
- Brief Description of Collateral:
- ☐ Real Estate ☐ Motor Vehicle
- ☐ Other

Value of Collateral: \$ \_\_\_\_\_

Amount of arrearage and other charges at time case filed included in secured claim, if any \$ \_\_\_\_\_

6. Unsecured Priority Claim.

- ☐ Check this box if you have an unsecured priority claim Amount entitled to priority \$ \_\_\_\_\_ Specify the priority of the claim.
- ☐ Wages, salaries, or commission (up to \$4,3000), \*earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier-11 U.S.C. § 507(a)(3).
- ☐ Contributions to an employee benefit plan - U.S.C. § 507(a)(4).
- ☐ Up to \$1,950\* of deposits toward purchase, lease or rental of property or services for personal, family or household use-11 U.S.C. §507(a)(6)
- ☐ Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. §507(a)(7).
- ☐ Taxes or penalties of governmental units-11 U.S.C. §507(a)(8).
- ☐ Other-Specify applicable paragraph of 11 U.S.C. §507(a)( )

\*Amounts are subject to adjustment on 4/1/01 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

7. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.

8. Supporting Documents: Attached copies of supporting documents such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements and evidence of perfection of lien, DO NOT SENT ORIGINAL DOCUMENTS. If the documents are not available, explain. If the docs are voluminous, attach a summary.

9. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this poof of claim.

Date  
**JUNE 7 2002**

Sign and print the name and title, if any of the creditor or other person authorized to file this claim (attached copy of power of attorney, if any):

**ROBERT E. KOVACEVICH**

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both 18 U.S.C. §§ 152 and 3571.

# ROBERT E. KOVACEVICH P.L.L.C.

818 WEST RIVERSIDE, #715

SPOKANE, WA 99201

January 10, 2002

Frank Chapin  
PERSONAL  
317 Church Street  
Sandpoint ID 83864

Invoice # 12676

## Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
12/3/01 REK Review T.C. info	0.20 180.00/hr	36.00
For professional services rendered	0.20	\$36.00
Additional Charges :		
12/31/01 Long Distance Charges		1.01
Total costs		\$1.01
Interest on overdue balance		\$364.29
Total amount of this bill		\$401.30
Previous balance		\$31,190.54
Balance due		\$31,591.84

**ROBERT E. KOVACEVICH P.L.L.C.**

818 WEST RIVERSIDE, #715

SPOKANE, WA 99201

January 10, 2002

Frank Chapin  
PERSONAL  
317 Church Street  
Sandpoint ID 83864

	<u>Amount</u>
Previous balance	\$47,738.62
Balance due	<u>\$47,738.62</u>

INSTALLMENT NOTE  
(INTEREST INCLUDED)

\$36,733.84

SANDPOINT

IDAHO

In installments and at the times hereinafter stated, for value received, we, Frank L. Chapin and Sydney Gutierrez, husband and wife, promise to pay to:

ROBERT E. KOVACEVICH

or order at Spokane, Washington the principal sum of thirty-six thousand, seven hundred thirty-three dollars and 84 cents (\$36,733.84) with interest from February 1, 2000 on the amounts of principal remaining from time to time unpaid, until said principal sum is paid, at the rate of eight per cent (8%) per annum. Principal and interest due as follows: a payment of ten thousand dollars (\$10,000.00) on March 1, 2000 and the sum of \$837.48 or more on the 1st day of each and every month beginning on the 1st day of April, 2000, and payable interest only on the 1st day of each and every consecutive month thereafter until February 1, 2003, at which time the entire balance remaining, both principal and interest, shall be paid in full. AT ANY TIME, THE PRIVILEGE IS RESERVED TO PAY MORE THAN THE SUM DUE. Each payment shall be credited first, on the interest then due; and the remainder on the principal sum; and interest shall thereupon cease upon the amount so credited on the said principal sum. Should default be made in the payment of any of said installments when due, then the whole sum of principal and interest shall become immediately due and payable at the option of the holder of this note. Should suit be commenced to collect this note or any portion thereof, such sum as the Court may deem reasonable shall be added hereto at attorney's fees. Principal and interest payable in lawful money of the United States of America.

This note is not assignable without the maker's written permission.

DATED this 8<sup>th</sup> day of February, 2000.

  
Frank L. Chapin

  
Sydney Gutierrez